

*See Attachment*

(13)  
8-10-01  
*SA*

UNITED STATES DISTRICT COURT  
FOR THE  
MIDDLE DISTRICT OF PENNSYLVANIA

KENNETH ALAN SHIFFER,

Petitioner

v.

BEN VARNER, et al.,

Respondents

CIVIL NO. 1:00-CV-1829

(Judge Caldwell)

**FILED**  
HARRISBURG, PA

AUG 9 2001

MARY E. DIANDREA, CLERK  
Per *[Signature]*  
Deputy Clerk

ORDER

THE BACKGROUND OF THIS ORDER IS AS FOLLOWS:

Upon review of the file in this case it appeared to the court that the respondent, the District Attorney of Columbia County, had failed to comply with the court's order of June 6, 2001, requiring a response to the section 2254 petition by June 26, 2001.

However, the District Attorney had complied with the order because after the court inquired about it he forwarded to the court a copy of an answer and memorandum which was mailed on April 26, 2001.

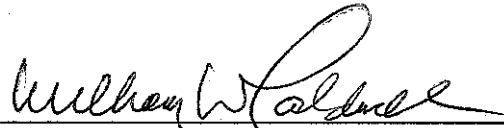
Unfortunately, the Clerk of Court never received the documents and, based on the procedural history recited in the petitioner's memorandum of law filed on July 12, 2001, neither did

the petitioner.

Accordingly, this 9th day of August, 2001, it is ordered that:

1. The Clerk of Court shall docket the respondent's answer and memorandum of law and forward a copy of those documents to the petitioner.

2. The petitioner shall have twenty days from the date of this order to file a reply to the answer and memorandum.

A handwritten signature in cursive script, appearing to read "William W. Caldwell", is written over a horizontal line.

WILLIAM W. CALDWELL  
United States District Judge

UNITED STATES DISTRICT COURT  
FOR THE  
MIDDLE DISTRICT OF PENNSYLVANIA

\* \* MAILING CERTIFICATE OF CLERK \* \*

August 9, 2001

Re: 1:00-cv-01829 Shiffer v. Varner

True and correct copies of the attached were mailed by the clerk  
to the following:

Kenneth Alan Shiffer  
SCI-D  
SCI at Dallas  
AT-1194  
Drawer K - Follies Rd.  
Dallas, PA 18612-0286

Francis R. Filipi, Esq.  
Attorney General's Office  
Strawberry Square  
15th Floor  
Harrisburg, PA 17120

John W. McDanel, Esq.  
Office of the District Attorney  
Columbia County  
P.O. Box 380  
Bloomsburg, PA 17815

cc:

Judge  
Magistrate Judge  
U.S. Marshal  
Probation  
U.S. Attorney  
Atty. for Deft.  
Defendant  
Warden  
Bureau of Prisons  
Ct Reporter  
Ctroom Deputy  
Orig-Security  
Federal Public Defender  
Summons Issued

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( ☒ ) Pro Se Law Clerk  
( ) INS  
( ) Jury Clerk

Standard Order 93-5  
Order to Show Cause

( ) with N/C attached to complt. and served by:  
U.S. Marshal ( ) Pltf's Attorney ( )  
( ) with Petition attached & mailed certified mail

to: US Atty Gen ( ) PA Atty Gen ( )  
DA of County ( ) Respondents ( )  
Bankruptcy Court ( )  
Other \_\_\_\_\_ ( )

MARY E. D'ANDREA, Clerk

DATE: 8/9/01

BY: jsm  
Deputy Clerk